

# ABRAMS AF FENSTERMAN

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Application granted. The Order to Show Cause will be docketed separately.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Docs. 14 and 18.

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
June 30, 2021

June 30, 2021

Via ECF

Honorable Philip M. Halpern  
United States District Judge  
Southern District of New York  
The Hon. Charles L. Brieant Jr.  
Federal Building and United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: *Congregation of Mosdos Chofetz Chaim Inc. v. Mosdos Chofetz Chaim Inc.*  
21 Civ. 04688 (PMH)

Dear Judge Halpern:

We represent Rabbi Mayer Zaks in this appeal.

We filed on June 25, 2021 an order to show cause and papers in support of Rabbi Zaks' motion for a stay pending appeal, including a request for a temporary restraining order (the "Motion"). We filed the Motion in accordance with the Court's Order dated June 16, 2021, which states that "[a]ppellant is given permission to proceed by Order to Show Cause for a preliminary injunction in accordance with this Court's Individual Practice 4.F. The Order to Show Cause shall be filed with supporting papers on or before June 25, 2021." The Order also provides that "[a]ppellant may, if he is so advised, seek temporary restraining order relief, but must comply with Federal Rule of Civil Procedure 65(d) and this Court's Individual Practice 4.F."

We respectfully submit this Letter Motion in accordance with Individual Practice 4.F.

We have previously complied with Individual Practice 4.F. On June 9, 2021, I submitted a Letter Motion asking the Court to schedule a conference prior to submission of this order to show cause requesting emergency relief, including a stay pending appeal and temporary restraining order of the Bankruptcy Court's order dated May 25, 2021. On June 9, 2021, the Court scheduled a June 15, 2021 conference. Counsel for all parties appeared at the June 15, 2021 conference and oral

argument was had on the record. On June 16, 2021, the Court issued the Order granting Rabbi Mayer Zaks permission to proceed by order to show cause, including seeking a preliminary injunction and temporary restraining order.

Because we have previously complied with Individual Practice 4.F, we respectfully request that the Court sign the order to show cause filed with the Court on June 25, 2021.

Thank you for your consideration of this request.

Respectfully yours,

Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP  
*Attorneys for Rabbi Mayer Zaks*

/s/

Robert A. Spolzino

cc: All counsel  
(BY ECF)